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OFFICE OF PETITIONS

RENEWED PETITION UNDER 37 CFR 1.137(b)

Docket Number  
CE08395R

First Named Inventor: Joseph Rinchiuso Art Unit: 2661  
Application Number: 09/760,039 Examiner: Shanoski, Paul  
Filed: 01/12/2001  
Title: PACKET DATA TRANSMISSION WITHIN A BROAD-BAND  
COMMUNICATION SYSTEM

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (703) 308-6916

Note: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(I)). Applicant claims small entity status. See 37 CFR 1.27.  
☐ Other than small entity – fee \$ \_\_\_\_\_

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of  
Formal Drawings (identify type of reply)

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

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This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.**

3. Terminal Disclaimer with disclaimer fee

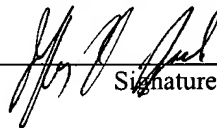
- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63)

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

January 12, 2004  
Date

847/576-5562  
Telephone Number

  
Signature

Jeffrey K. Jacobs – Reg. No. 44,798  
Typed or printed name

1303 E. Algonquin Road

Address

Schaumburg, IL 60196

Address

- Enclosures: ☐ Fee Payment  
☐ Reply  
☐ Terminal Disclaimer Form  
☐ Additional sheets containing statements establishing unintentional delay  
☒ Other: Substitute Drawings

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the data shown below to the United States Patent and Trademark office at (703) 872-9306.

January 12, 2004  
Date

  
Signature

Nanette Orr

Typed or printed name of person signing certificate